



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### July 16, 2019

**MEMBERS, OCONEE COUNTY COUNCIL**  
Mr. John Elliott, Chair Pro Tem, District I  
Mr. Paul Cain, Vice Chair, District III  
Mr. Julian Davis III, Chairman, District IV  
Mr. Glenn Hart, District V  
Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, and Katie D. Smith, Clerk to Council present.

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeesc.com/council](http://www.oconeesc.com/council)]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Caitlin Herrington / Daily Journal & Jimmy Watt / WGOG.

### **Call to Order:**

Mr. Davis called the meeting to order at 6:00 p.m.

### **Public Comment Session**

None at this meeting.

### **County Council Response to Public Comment**

Mr. Hart made a motion, seconded by Mr. Davis, approved 5 – 0, to amend the agenda to add “Discussion of a possible sale of Oconee County property in an Oconee Industrial Park” under Executive Session.

Mr. McCall thanked the YMCA and Walhalla City Pool for providing swimming lessons and water safety.

### **Moment of Silence**

Mr. Davis asked for a moment of silence prior to the Invocation by the County Chaplain.

### **Invocation by County Council Chaplain:**

Mr. Root, County Council Chaplain, gave the invocation.

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## **Pledge of Allegiance:**

Mr. Jerry Dyar, Oconee County Veteran's Affairs Director, led the Pledge of Allegiance to the Flag of the United States of America.

## **Approval of Minutes**

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0 to approve the June 18, 2019 Regular Minutes as presented.

## **Proclamation 2019-11**

**Proclamation 2019-11** Honoring Flora M. Riley

Mr. Davis read **Proclamation 2019-11** into the record.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Proclamation 2019-11**.

Ms. Riley stepped forward and accepted **Proclamation 2019-11** from Council.

## **Proclamation 2019-12**

**Proclamation 2019-12** for World Elder Abuse Awareness Day

Mr. Davis read **Proclamation 2019-12** into the record.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Proclamation 2019-12**.

## **Recognition of the Oconee County Veteran's Affairs Office for their hard work and dedication to Veterans in Oconee County**

Mr. Jerry Dyar and staff stepped forward and accepted the plaque from Council which reads "In recognition of the Oconee County Veterans Affairs Office for their hard work and dedication to veterans in Oconee County."

Mr. Dyar noted the Veteran's Affairs Office exist for the sole purpose of helping veterans in Oconee County with a constant basis ranging from disability benefits, pension benefits, education benefits, and health care. He further noted there are approximately 7,000 veterans in Oconee County and they do not ask for anything as they have served their country when called upon and come back home to their life building process and have done a wonderful job. Mr. Dyar thanked Council on behalf of him and his staff and noted the plaque will be proudly displayed in the Veteran's Affairs Office lobby.

Additionally, Mr. Dyar noted on August 7, 2019 there will be a Purple Heart Drop-In at the Oconee County Veteran's Office located at 223-C Kenneth Street, Walhalla, from 9:00 a.m. to 11:00 a.m.

## **Administrator's Comments**

None at this meeting.

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## **Public Hearings for the Following Ordinances**

None at this meeting.

## **Third Reading of the Following Ordinances**

None at this meeting.

## **Second Reading of the Following Ordinances**

**Ordinance 2019-17** “AN ORDINANCE TO AUTHORIZE THE CONVEYANCE OF EASEMENT RIGHTS TO AMERICAN LEGION, DEPARTMENT OF SOUTH CAROLINA, POST #124 FOR THE PURPOSE OF PROVIDING INGRESS, EGRESS, AND VEHICULAR PARKING ON CERTAIN COUNTY-OWNED PROPERTY; AND OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2019-17** on second reading.

## **First Reading for the Following Ordinances**

**Ordinance 2019-18** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND TRI-COUNTY ENTREPRENEURIAL DEVELOPMENT CORPORATION AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING CERTAIN IMPROVEMENTS THEREON, LOCATED AT 104 BROWN SQUARE DRIVE, WALHALLA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.”

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2019-18** on first reading.

**Ordinance 2019-19** “AN ORDINANCE AUTHORIZING THE CONVEYANCE OF EASEMENT RIGHTS FOR THE PURPOSE OF UTILITY CONSTRUCTION AT THE OCONEE INDUSTRY AND TECHNOLOGY PARK; AND OTHER MATTERS RELATED THERETO.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2019-19** on first reading.

## **First & Final Reading of the Following Resolutions**

**Resolution 2019-16** “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF WESTMINSTER, MICHAEL CRENSHAW, AS SHERIFF FOR OCONEE COUNTY, AND OCONEE COUNTY, IN RELATION TO THE ENFORCEMENT OF A MUNICIPAL ORDINANCE IMPLEMENTING A CURFEW FOR MINORS WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF WESTMINSTER; AND OTHER MATTERS RELATED THERETO.”

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Resolution 2019-16** on first & final reading.

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## **Discussion Regarding Action Items**

### **\$50,000 Expenditure for “Undiscovered SC” Grant**

On November 20, 2018 Council approved the application for a \$50,000 SCPRT “Undiscovered SC” grant. This is a matching grant, and the Foothills Farmstead was to reimburse the County for the matching \$50,000 as funds were spent. It is now requested that Council not require Foothills Farmstead to provide the matching \$50,000, but that that sum come from the “Community Contributions” line item description in the Fiscal Year 2019-2020 Budget for Oconee County.

Mr. Elliott made a motion, seconded by Mr. Davis, approved 5 – 0, to not require Foothills Farmstead to provide the matching \$50,000, but that that sum come from the “Oconee Support” line item description in the Fiscal Year 2019-2020 Budget for Oconee County.

### **Ratify execution of Memorandum of Understanding between the South Carolina State Election Commission, Oconee County, and the Oconee County Board of Voter Registration and Elections in relation to the new statewide voting system / Voting System Components**

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to authorize the County Administrator to execute the most recent version of the Memorandum of Agreement between the South Carolina State Election Commission, Oconee County, and the Oconee County Board of Voter Registration and Elections in relation to the new statewide voting system / Voting System Components.

### **Goodyear Tires from State Contract / Vehicle Maintenance & Quarry / Amount: \$90,000.00 (Estimated)**

**Budget:** \$90,000

**Project Cost:** \$90,000

**Balance:** \$0.00

In August of 2014, Council approved the purchase of Goodyear tires as needed from Super Service Tire and Alignment of Walhalla, SC, not to exceed \$90,000 for FY 2014-2015 through FY 2018-2019. Vehicle Maintenance and the Quarry purchase tires as needed for County vehicles such as, but not limited to, police pursuit tires for law enforcement vehicles, auto radial for passenger vehicles and light/medium radial for trucks. This previous Council approval expired at the end of FY 2018-2019. Staff is now requesting approval for an additional five years, as long as all purchases for Goodyear tires are in accordance with the awarded State Contract for each future fiscal year and amounts do not exceed amount budgeted for tires.

It is the staff’s recommendation that Council [1] approve the purchase of Goodyear tires as needed from Super Service Tire & Alignment of Walhalla, SC for an estimated amount of \$90,000 for fiscal year 2019-2020 and [2] allow the County Administrator to approve future purchases from state contract for the next five year period or through FY 2023-2024, as long as all purchases for Goodyear tires are in accordance with the State Contract award and amounts do not exceed amounts budgeted for tire purchases.

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to [1] approve the purchase of Goodyear

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## **Conservation Easement on the 218.67 acre Chauga Heights tract adjoining Chau Ram Park through Upstate Forever**

Council approved placing the Easement 5.21.19. This approval is for the actual language of the Easement.

The goal of the easement is to protect the property and the Chauga River watershed in perpetuity and to allow for a master plan to be completed that will enhance public use of the property. The master plan will focus on passive and leisure recreation opportunities like expanding the lodging opportunities, increase hiking/biking trails and to create an interpretive center for the public to enjoy.

It is staff's recommendation for approval of Conservation Easement.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the conservation easement on the 218.67 acre Chauga Heights tract adjoining Chau Ram Park through Upstate Forever.

## **Approval for the Addition of the Oconee County Deputy Sheriff Position**

The addition of the Deputy Sheriff position request is based on the unanimous recommendation by Pine Street Department Heads and Administration. The Deputy Sheriff will help promote a safe and secure environment for citizens and staff, perform general patrol duties during business hours and meetings, and maintain a county safety program. The Deputy Sheriff will also assist the Oconee County Sheriff's Department with preserving law and order in the surrounding areas, upon request.

It is staff's recommendation that Council approve the addition of the Deputy Sheriff position.

Mr. McCall made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the addition of the Deputy Sheriff position.

## **Council approval for required preliminary engineering for the Sewer South Expansion in the amount not to exceed \$183,900**

Mr. Hart made a motion, seconded by Mr. Elliott, to approve the required preliminary engineering for the Sewer South Expansion in the amount not to exceed \$183,900.

Discussion continued to include:

- This is part of the funds that were previously already approved for the Sewer South project
- Amount not to exceed \$183,900 would be reduced from the previously \$613,000 that was approved

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by Council last September

Regarding the previous motion made by Mr. Hart, seconded by Mr. Elliott, it was approved 5 – 0, to approve the preliminary engineering for the Sewer South Expansion in the amount not to exceed \$183,900.

## **Discussion regarding signs, including billboards in Oconee County**

Mr. Cain began the discussion regarding signs and billboards, noting Oconee County needed to look at placing a billboard moratorium on any new billboards in the County. Discussion continued to include the following:

- Billboards on Hwy 123 from Seneca to Westminster for the past several years have the same “Advertise Here” on the same billboards
- Overbuilt on billboards; there is not a demand for new billboards
- Mr. Root asked to research this issue further and present a more fulsome, educated approach on how to approach billboard issues
- Speech issue, property rights issue, etc.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 3 – 2 [Mr. Hart & Mr. McCall opposed], to direct staff to research the legality of a billboard moratorium for new billboards in Oconee County.

## **Board & Commission Appointments**

### **Building Codes Appeal Board**

Mr. Elliott made a nomination, seconded by Mr. Cain, approved 5 – 0, to appoint Joshua Lusk as an At Large representative on the Building Codes Appeal Board.

Mr. Hart made a nomination, seconded by Mr. Cain, approved 5 – 0, to appoint Osceola Gilbert as an At Large representative on the Building Codes Appeal Board.

### **Unfinished Business**

Mr. McCall noted citizens are reaching out to him regarding Duck Pond Road and asking him why the road has been washed out since April. He further noted citizens are getting upset and the trucks from Rock Crusher road are being rerouted. Additionally, he noted it was not the Administrator’s fault but rather the policy of the County’s fault. Discussion continued to include the policy and procedures for roads in the County.

Ms. Brock noted since Mr. Hart is the Chairman of the Transportation Committee, a meeting could be scheduled on September 17, 2019 to address the policy and procedure of the roads. Mr. Hart agreed to have an additional Transportation Committee meeting to address these concerns.

### **New Business**

None at this meeting.

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## **Executive Session:**

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

*[1] Discussion regarding an Economic Development matter, Projects Aztec.*

*[2] Discussion regarding an Economic Development matter, Project Trout.*

*[3] Discussion regarding an Economic Development matter, Project Chi.*

*[4] Discussion regarding an Economic Development matter, Project Resource.*

*[5] Receive legal advice and discuss contractual matter related to land development.*

*[6] Discussion of contractual and Economic Development matter, Historic Courthouse.*

*[7] To receive legal advice and discuss personnel matters related to the following departments: The Rock Quarry, Auditor, Finance, Assessor, Information Technology, Human Resources, Sheriff's Office, Airport, Treasurer, Facilities Maintenance, Roads and Bridges, Planning, Solid Waste, Registration & Elections, Procurement, and Administration, including internal review procedures.*

~~*[8] Discussion regarding the potential purchase of real property for the possible relocation of the Westminster Magistrate's Office.*~~

*[8] Discussion regarding a contractual matter regarding Visit Oconee.*

*[9] To discuss a contractual matter related to the potential purchase of property for public safety purposes.*

*[10] Discussion of a possible sale of Oconee County property in an Oconee Industrial Park.*

Council entered Executive Session at 7:01 p.m.

Council returned from Executive Session at 8:36 p.m. on a motion made by Mr. Elliott, seconded by Mr. Cain, approved 5 – 0.

Mr. Davis stated that no action was taken in Executive Session.

[#2] Mr. Root asked for a motion to continue negotiations as discussed regarding Project Trout.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to continue negotiations as discussed regarding Project Trout.

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[#6] Mr. Root asked for a motion to direct the County Administrator to proceed as discussed regarding the Historic Courthouse.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to direct the County Administrator to proceed as discussed regarding the Historic Courthouse.

[#9] Mr. Root asked for a motion to enter negotiations as discussed regarding the potential purchase of property for public safety purposes.

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to enter negotiations as discussed regarding the potential purchase of property for public safety purposes.

**Adjourn:**

Mr. Hart made a motion, approved unanimously, to adjourn at 8:37 p.m.

Respectfully Submitted:

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Katie D. Smith  
Clerk to Council

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